



Book	Policy Manual
Section	4000 Support Staff
Title	Copy of BOARD-STAFF COMMUNICATIONS
Code	po4112 TC KMK 7-3-24
Status	First Reading
Adopted	July 9, 2018
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4112 - **BOARD-STAFF COMMUNICATIONS**

The Board has a legitimate interest in maintaining order and facilitating the efficient resolution of concerns by directing that employee communications to the Board move initially through the chain of command to the District Administrator. Employees are expected to follow the established chain of communication as described in this policy. Failure to do so may result in employee discipline.

A. Staff Communications to the Board

All communications from staff members related to the performance of their job duties or responsibilities to the Board or its committees shall be submitted through the District Administrator. This procedure is not intended to deny any staff member the right to raise matters of concern regarding the District operations to the Board through established procedures when no resolution is reached by the administration.

B. Board Communications to Staff

All official communications, policies, and directives of the Board of staff interest and concern to the staff will be communicated through the District Administrator, who shall also keep staff members fully informed of the Board's problems, concerns, and actions. Board member communications with staff shall also be consistent with the expectations in Board Bylaw 0144.5 - Board Member Behavior, Communications, and Code of Conduct.

C. **Social Interaction**

Both staff and Board members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the District. However, since individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action, discussions between staff and Board members related to the performance of job duties or responsibilities may be inappropriate violations of the chain of command.

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Legal	Garcetti v. Ceballos, 547 U.S. 410 (2006) Samuelson v. LaPorte Comm. Sch. Dist., 526 F.3d 1046 (7th Cir. 2008)
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Book	Policy Manual
Section	4000 Support Staff
Title	Copy of EMPLOYMENT OF SUBSTITUTES
Code	po4120.04 KMK 7-2-24
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4120.04 - **EMPLOYMENT OF SUBSTITUTES**

The Board recognizes its responsibility to procure the services of substitute support staff in order to prevent the interruption of the operation of the schools.

The names of potential substitute personnel and the positions in which they may substitute shall be maintained by the District Office.

Proper certification shall be on file if the position requires certification. A satisfactory background check shall be conducted consistent with Policy 4121 - Criminal History Record Check and Employee Self-Reporting Requirements.

The Board will not employ the spouse or child of any Board member.

The Board will not employ the children, siblings, spouse, parents, in-laws, or bona fide dependents (IRS criteria) of a Board member.

Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which they are supervised directly by the staff member who is related.

Preference will be given to candidates for substitute employment who are residents of this School District.

The employment of substitute support staff prior to approval by the Board is authorized when their employment is required to maintain the continuity of services in the District. Retroactive employment shall be recommended to the Board at the next meeting.

Prior to the end of the school year, District-employed substitutes, who the District intends to employ for the ensuing school year, will receive a letter of reasonable assurance of continued employment.

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Legal 118.19, Wis. Stats.
P.I. 3.03(8), Wis. Adm. Code



Book	Policy Manual
Section	4000 Support Staff
Title	Copy of CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR EMPLOYEES THAT TRANSPORT STUDENTS
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~~4162—CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR EMPLOYEES THAT TRANSPORT STUDENTS~~

Purpose

~~The Board believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety sensitive functions with District vehicles, must be mentally and physically alert at all times while on duty. In addition, the Board recognizes that a drug free and alcohol free school and work environment is vital to workplace and school safety and to the quality of the District's educational services.~~

~~To that end, the Board has established this policy, which includes an alcohol and controlled substances testing program. The Board expects all Drivers to comply with Board Policy 4122.01 on Drug Free Workplace which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times.~~

~~Further, the Board concurs with the Federal requirement that all Drivers should be free of any influence of alcohol or controlled substance while on duty. Therefore, participation in the alcohol and controlled substances testing program is a condition of employment for all Drivers.~~

Covered Employees

~~This policy covers all commercial driver's license (CDL) holders and regular and substitute bus drivers who operate a commercial motor vehicle while on duty. The policy also applies to other staff members who drive students in District vehicles or inspect, service, or condition District vehicles. The District views these as "safety sensitive" functions.~~

Definitions

~~For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply:~~

- ~~A. The term *alcohol* means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol. This term is a volume breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test as described herein.~~
- ~~B. The term *controlled substance* includes any illegal drug, the possession or use of which is unlawful pursuant to Federal, State and local laws and regulations, and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety sensitive functions. This term includes, but is not limited to, marijuana metabolites, cocaine metabolites, amphetamines, opiate metabolites, phencyclidine (PCP).~~

- C. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term *safety sensitive functions* includes waiting to be dispatched, inspecting equipment, servicing, driving, loading or unloading District vehicles, as well as repairing, obtaining assistance, or remaining in attendance upon a disabled District vehicle. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety sensitive function.
- E. The term *Driver* means all CDL holders and regular and substitute bus drivers who operate a commercial motor vehicle while on duty, as well as other staff members who may drive students in District vehicles or inspect, service, and condition District vehicles.
- F. The term *while on duty* means all time from the time the Driver begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

Procedures

The District Administrator shall establish a drug and alcohol testing program whereby each driver is tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opioids
- D. Amphetamines
- E. Phencyclidine (PCP)

The alcohol and controlled substances tests are to be conducted in accordance with Federal and State regulations:

- A. Prior to employment (Controlled Substances only);
- B. Reasonable suspicion;
- C. Upon return to duty after any alcohol or drug rehabilitation;
- D. After any accident whenever the District determines that an employee may have contributed to an accident involving a fatality, bodily injury, or damage to property, the District may require the employee to be tested for drugs or alcohol, or both;

In addition, Department of Transportation regulations require that drivers submit to post accident testing for drugs and alcohol under the following circumstances:

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1. When the driver is involved in an accident involving the loss of a human life, regardless of who was at fault;
or
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2. When the driver is involved in an accident in which s/he is issued a citation for a moving traffic violation, and the accident involves an injury to any person who, as a result of the injury, immediately receives medical treatment away from the accident scene, or involves disabling damage (i.e., must be towed away or cannot be driven from the accident scene) to any vehicle.

- E. On a random basis; and
- F. On a follow up basis.

Any staff member who tests positive as defined in the guidelines shall be:

- A. Immediately prohibited from driving any District vehicle or conducting a safety sensitive function;
- B. Evaluated by a substance abuse professional;

- ~~C. Provided information regarding drug/alcohol counseling; or referred to the District's Employee Assistance Program;~~
- ~~D. Subject to discipline, up to and including discharge, in accordance with District guidelines and the terms of any applicable collective bargaining agreements.~~

~~No staff member who has tested positive for alcohol or a controlled substance may be returned to a safety sensitive position without having been evaluated by a qualified substance abuse professional (SAP), completed any required treatment program, and passed a retest.~~

~~Prior to the beginning of the testing program, the District shall provide training for all employees, including Drivers and their supervisors about:~~

- ~~A. The dangers and adverse effects of drug and alcohol use;~~
- ~~B. Indicators of probable alcohol misuse and controlled substance abuse;~~
- ~~C. Board Policy 4122.01—Drug-Free Workplace, and Policy 4161—Unrequested Leaves of Absence/Fitness for Duty~~
- ~~D. The sanctions that may be imposed for violations of Policy 4122.01.~~

~~The District Administrator shall arrange for periodic retraining of supervisors and staff members as necessary. The District Administrator shall provide a copy of this policy and testing guidelines to all Drivers and will include available resources to assist employees with problems related to the use of alcohol and controlled substances.~~

~~The District Administrator shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with the requirements of the law.~~

~~Return to Duty (Safety Sensitive Positions)~~

~~Employees who are removed from performing safety sensitive functions as a result of this policy must take and pass a return to duty test before returning to performing safety sensitive functions. The return to duty test will not occur until after a Substance Abuse Professional (SAP) has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.01 before resuming performance of safety sensitive duties.~~

~~Subject to any legal requirements, employees who are eligible to return to performing safety sensitive functions may not do so without the approval of the District Administrator.~~

~~Revised 8/12/19~~

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Legal

49 C.F.R. 382.101 et seq.



Book	Policy Manual
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4213 - **STUDENT SUPERVISION AND WELFARE**

Support staff members may be confronted with situations that, if handled incorrectly, could result in liability to the District, personal liability to the staff member, and/or harm to the welfare of the student(s). It is the intent of the Board to direct the preparation of guidelines that would minimize that possibility.

A support staff member, or a person who works or volunteers with children, who is found to have had sexual contact with any student shall be referred to the proper authorities and be subject to discipline, up to and including discharge.

This policy should not be construed as affecting any obligation on the part of staff to report suspected child abuse under 48.981, Wis. Stats. and Policy 8462 - Child Abuse and Neglect.

Each District support staff member shall maintain a standard of care for the supervision, control, and protection of students commensurate with the support staff member's assigned duties and responsibilities which include, but are not limited to, the following standards:

- A. A support staff member shall report immediately any accident or safety hazard about which they are informed or detect to their supervisor, as well as to other authorities or District staff members as may be required by established policies and procedures.
- B. A support staff member shall report unsafe, potentially harmful, dangerous, violent, or criminal activities or threat of these activities by students to the District Administrator and local public safety agencies and/or school officials in accordance with Policy 8420 - School Safety. Additionally, each support staff member shall also promptly report to the Principal any knowledge of threats of violence by students.
- C. A support staff member shall not send students on any personal errands.
- D. A support staff member shall not associate with students at any time in a manner which gives the appearance of impropriety including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal liability and District discipline, up to and including termination of employment.

This provision should not be construed as precluding a support staff member from associating with students in private for legitimate or proper reasons or to interfere with familial relationships that may exist between staff and students.

- E. A support staff member shall not disclose personally identifiable information about a student to third parties unless specifically authorized by law or the student's parent(s) to do so.

- F. A support staff member shall not transport students for school-related activities in a private vehicle without the approval of their immediate supervisor and consistent with the provisions of Policy 8660 - **Transportation by Private Vehicle for District-Sponsored Activities or Trips**. This does not apply to any student who is the support staff member's family member.
- G. A student shall not be required to perform work or services that may be detrimental to their health.
- H. Staff members shall not engage students in social media and online networking media (see also Policy 7544), except for appropriate academic, extra-curricular, and/or professional uses only.
- I. Staff members are expressly prohibited from posting any picture, video, meme, or other visual depiction, or comment pertaining to any student on personal or unauthorized social networking media or similar forums. This provision of the policy does not apply to pictures and/or videos taken of a public event that may involve, or incidentally include, depictions of students participating in or observing such event where the purpose of the photo or video is to depict the event, not a particular student. This section does not apply to depictions of a support staff member's own child or other relative.

Since most information concerning a child in school, other than directory information described in Policy 8330 - Student Records, is a confidential student record under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy 8462- Child Abuse and Neglect, each support staff member shall report to the proper legal authorities immediately any sign of suspected child abuse, abandonment, or neglect.

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Revised 4/8/20

Revised 3/10/21

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Legal

48.981, 948, 948.095, Wis. Stats.



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4216 - **SUPPORT STAFF DRESS AND APPEARANCE GROOMING**

The Board believes that support staff members set an example in dress and appearance ~~grooming~~ for their students to follow.

When assigned to District duty, all support staff members shall:

- A. be physically clean, and neat;
- B. dress in a manner consistent with their support responsibilities;
- C. dress in a manner that communicates to others a pride in personal appearance;
- D. dress in a manner that does not cause damage to District property;
- E. ~~present themselves be-groomed~~ present themselves in such a way that does not disrupt the educational process or cause a health or safety hazard.



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4231 - **OUTSIDE ACTIVITIES OF SUPPORT STAFF**

The Board expects support staff members to avoid situations in which their personal interests, activities, and associations may conflict with the interests of the District. If such situations threaten an employee's effectiveness within the School District, the District Administrator shall evaluate the impact of such interest, activity, or association upon the support staff member's responsibilities. Staff members are expected to notify the District Administrator of ~~their~~ involvement in any outside organization, association, or the like if the staff ~~member identifies himself/herself as a staff member of the District as part of his/her~~ member's role as a member of the District's staff is tied directly to involvement in the identified outside activity. Additionally, staff members are expected to notify the District Administrator of involvement in any outside activity, ~~or~~ if the staff member will receive compensation for any outside activities (refer also to Policy 4230 - Ethics and Conflict of Interest).

- A. Staff members should not give work time to an outside interest, activity, or association without valid reason to be excused from assigned duties.
- B. Staff members shall not use school property or school time to solicit or accept customers for private enterprises without written administrative permission.
- C. Staff members shall not engage in business transactions on behalf of private enterprises in which the staff member ~~s/he~~ may profit by virtue of the staff member's ~~his/her~~ official position or authority or benefit financially from confidential information which the staff member has obtained or may obtain by reason of the staff member's ~~his/her~~ position or authority.
- D. Staff members shall not campaign on school property on behalf of any political issue or candidate for local, State, or National office.
- E. Staff members should avoid conduct and associations outside the school which, if known, could have an adverse or harmful effect upon the school community.
- F. Staff members should refrain from expressions that would disrupt harmony among their co-workers or interfere with the maintenance of discipline by school officials.